

Those voting for Mr. Ochiltree were Senators Cook, Coppedge; Foscue, Guinn, Jowers and Saufley—6.

Those voting for Mr. Epperson were Senators Braswell, Blount, Bumpass, Dalrymple, Knox, Lane, Littleton, McDade, Parker and Record—10.

The one voting for Mr. Pease was Senator Cooley.

The two Houses in joint session, after balloting three times, having failed to elect a Senator for the unexpired term ending March 4th, 1869,

Upon motion of Senator Neyland, the Senate retired to its Chamber.

There being no further business before the Senate,

Upon motion of Senator Shelley, the Senate adjourned until to-morrow morning, 10 o'clock.

SENATE CHAMBER, }
August 23, 1866. }

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called—quorum present.

Journal of yesterday read and adopted.

Senator Shelley presented petition of Peter Norton.

Referred to Committee on Private Land Claims.

Senator Shelley, petition of Peter Norton, praying for relief for certain moneys due him from the State of Texas.

Referred to Committee on Claims and Accounts.

Senator Bumpass introduced the following resolution.

It being very important that the State, at as early a day as is practicable for the Legislature so to do, be districted in lawful Congressional Districts, that elections may be ordered for members to represent the State in the Congress of the United States; therefore.

Be it Resolved by the Senate—the House concurring—That a Joint Select Committee, consisting of two from the Senate and three from the House be appointed, whose duty it shall be to take into consideration the subject, and proceed to lay off the State into such Districts, and report at the earliest opportunity to both branches of this Legislature.

Senator Neyland moved to strike out three, and insert the words, "a like committee." Carried.

Also to strike out two and insert four. Carried.

Resolution, as amended, adopted.

The President appointed the following committee under the resolution.

Senators Bumpass, Knox, Neyland, and Boyd.

A message from the House was received, announcing the passage by the House of the following bills :

A bill to be entitled "An act to incorporate the Barnhart Mills."

A bill to be entitled "An act to incorporate the Hebrew Benevolent Society of Galveston."

A bill to be entitled "An act to incorporate the Houston and Galveston Wharf and Press Company."

A bill to be entitled "An act to authorize the transcript of the records of the County Court of Bowie county."

A bill to be entitled "An act to incorporate the Merchants' Mutual Insurance Company."

A bill validating acts of certain officers, therein named.

A bill to be entitled "An act to incorporate the Galveston Female Institute."

Senator Neyland introduced a bill to be entitled "An act to select a special Judge in particular cases."

Read first and second times, and referred to Judiciary Committee.

Senator Shannon introduced a bill, making an appropriation to defray the contingent expenses of the Eleventh Legislature.

Read first and second times and referred to Committee on Contingent Expenses.

Senator Parker introduced a bill to incorporate the Rio Grande Railroad Company.

Read first and second times and referred to Committee on Internal Improvements.

Senator Guinn introduced a bill to fix the pay and mileage of the members of the State Legislature.

Read first and second times and referred to Committee on Finance.

Senator Burney introduced a bill "to authorize James E. Harrison, Sr., to erect a toll Bridge over Tehuacana Creek in the county of McClellan

Read first and second times and referred to Committee on Roads, Bridges and Ferries.

Senator Cook offered the following resolution.

Resolved; That the Committee on Public Buildings be instructed to examine into the condition of the Public Library in the State Capitol and report by bill or otherwise, what action

is necessary to prevent the same from further loss and destruction.

Adopted.

Senator Lane offered a resolution as follows.

Be it Resolved, That all bills and resolutions, whether originating in the Senate or House of Representatives, before action is taken thereon, the same shall be published, and each member of the Senate, shall be furnished with a copy thereof, at least one day prior to the discussion, amendment, or final passage of the same.

Laid over one day for consideration.

Senator Parker, Chairman of Committee on Enrolled Bills, made report as follows:

Hon. G. W. Jones, President Senate.

The Committee on Enrolled Bills, have examined, a bill entitled "An act making an appropriation for the mileage and per diem pay of the officers of the Eleventh Legislature of the State of Texas;" Also a "Joint Resolution for the relief of the City of San Antonio," and find the same correctly enrolled, properly signed, and they have presented the same to the Governor for his approval.

F. J. PARKER, Chairman Committee.

Senator Selman offered the following resolution:

Resolved, That when the Senate adjourns on to-morrow, such adjournment shall be until 10 o'clock, on Monday next, for the purpose of allowing the Committee on Judicial Districts to sit the full day (if necessary) on Saturday. Adopted.

Senator Cook offered the following resolution:

Resolved, by the Senate and House of Representatives, That the sum of thousand dollars, or so much thereof as may be necessary, shall be set apart out of the Treasury to be expended under the direction of the Governor in the erection of a suitable and permanent fence or wall, to enclose the State Cemetery in the vicinity of the city of Austin.

Referred to Committee on State Affairs.

Senator Reed introduced a bill to confer additional powers upon all incorporated cities and towns in the State of Texas.

Bill read first and second times and referred to Committee on the Judiciary.

Senator Knox introduced a bill to incorporate the San Antonio Mechanics' and Laborers' Association.

Bill read first and second times and referred to Committee on State Affairs.

Senator Brown offered the following resolution:

Resolved, That the President appoint a committee of three Senators on mileage, whose duty it shall be to make out, and report a schedule of distances traveled by each Senator, in coming to, and returning from the Seat of Government, by which the Secretary of the Senate shall be governed in his certificates for mileage.

Resolution referred to Committee on Finance, on motion of Senator Foscue.

Senator Knox offered the following resolution:

Resolved, That the Committee on Printing be instructed to contract for the printing of five hundred copies of the Governors' message in German, and five hundred in Spanish, for the use of the Senate.

Senator Truitt moved to strike out five hundred, and insert two hundred and fifty.

Motion lost.

Senator Littleton moved to strike out five hundred and insert one thousand. Motion lost.

The yeas and nays being called on the resolution, it was adopted by the following vote :

YEAS—Senators Braswell, Cook, Cooley, Dalrymple, Foscue, Jowers, Knox, Littleton, McDade, Nelson, Parker, Randolph, Record, Shannon, Shelley and Stell—16.

NAYS—Senators Blount, Boyd, Brown, Bumpass, Burney, Coppedge, Guinn, Neyland, Reed, Saufley, Selman, Truitt and Yarbrow—13.

Senator Cook offered the following resolution :

Resolved, That the Committee on Printing be instructed to examine and report whether or not the journals of the Senate can be printed without the frequent typographical blunders that now occur in the tri-weekly copies of the Gazette and Intelligencer.

Resolution adopted.

Senator Cooley introduced a bill to amend "An Act entitled an act to attach the county of Kendall to the Fourth Judicial District"; and to amend "An Act entitled an act to attach the county of Blanco to the Fourth Judicial District"; and to amend "An Act entitled an act to provide for the time of holding the courts of the several counties in the Fourth Judicial District." Approved February 2d, 1858.

Bill read first and second times, and referred to the Joint Committee on Judicial Districts.

Senator Shelley introduced a bill to change the boundaries of the corporation of the city of Austin.

Bill read first and second times, and referred to the Committee on State Affairs.

The following bills, originating in the House, were taken from the President's desk, and upon motion of Senator Shannon, read by caption, and referred as indicated :

A bill to incorporate the Barnhart Mills.

Referred to Committee on Manufacturing and Commerce.

A bill to incorporate the Houston & Galveston Wharf and Press Company.

Referred to Committee on Manufacturing and Commerce.

A bill to incorporate the Hebrew Benevolent Society of Galveston.

Referred to Committee on Education.

A bill to incorporate the Merchants' Mutual Insurance Company.

Referred to Committee on Manufacturing and Commerce.

A bill validating acts of certain officers therein named.

Referred to Committee on the Judiciary.

A bill to incorporate the Galveston Female Institute.

Referred to the Committee on Education.

Also, a bill to authorize the transcript of the Records of the County Court of Bowie county.

Bill read first time ; rule suspended, read second time, and passed to a third reading

On motion of Senator Neyland, Senator Foscue was added to the Committee on Judicial Districts, vice Senator Guinn of Angelina, deceased.

Upon motion of Senator Selman, the Senate took a recess of five minutes.

Recess expired—roll called—quorum present.

A message was received from the House, inviting the Senate to meet them in joint session to proceed with the election of a United States Senator.

Upon motion of Senator McDade, the invitation was accepted, and the Senate, headed by the President, repaired to the Representative Hall.

Roll called—quorum present.

The two Houses in joint session then proceeded to the election of a Senator to fill the unexpired term, ending March 4th, 1869.

The result of the first vote, on the part of the Senate, stood thus :

Mr. Roberts 10, Mr. Epperson 8, Mr. Steadman 4, Mr. Ochiltree 6.

Those voting for O. M. Roberts, were Senators Burney, Foscue, Nelson, Neyland, Randolph, Reed, Selman, Shelley, Stell and Truitt—10.

Those voting for B. H. Epperson, were Senators Braswell, Blount, Dalrymple, Knox, Lane, Littleton, McDade and Record—8.

Those voting for William Steadman, were Senators Boyd, Brown, Bumpass and Yarbrow—4.

Those voting for W. B. Ochiltree, were Senators Cook, Coppedge, Guinn, Jowers, Saufley and Shannon—6.

The roll of the Senate was then called on a second ballot, and upon counting the vote it stood thus :

Mr Roberts received 10 votes, Mr. Epperson 8, Mr. Ochiltree 4, Mr. Steadman 3, Mr. Culberson 3.

Those voting for O. M. Roberts, were Senators Braswell, Burney, Guinn, Neyland, Randolph, Reed, Selman, Shelley, Stell and Truitt—10.

Those voting for B. H. Epperson, were Senators Blount, Bumpass, Dalrymple, Knox, Lane, Littleton, McDade and Record—8.

Those voting for W. B. Ochiltree, were Senators Cook, Coppedge, Foscue and Jowers—4.

Those voting for William Steadman, were Senators Boyd, Brown and Yarbrow—3.

Those voting for D. B. Culberson, were Nelson, Saufley and Shannon—3.

Senator Nelson moved that the Senate retire.

Lost.

Senator Jowers withdrew the name of W. B. Ochiltree.

The roll of the Senate was then called on a third ballot, and upon counting the vote it stood thus :

Mr. Roberts received 11 votes, Mr. Epperson 8, Mr. Ochiltree 3, Mr. Steadman 3, Mr. Culberson 3.

Those voting for O. M. Roberts, were Senators Braswell, Burney, Coppedge, Guinn, Neyland, Randolph, Reed, Selman, Shelley, Stell and Truitt—11.

Those voting for B. H. Epperson, were Senators Blount, Bumpass, Dalrymple, Knox, Lane, Littleton, McDade and Record—8.

Those voting for W. B. Ochiltree, were Senators Cook, Foscue and Jowers—3.

Those voting for William Steadman, were Senators Boyd, Brown and Yarbrow—3.

Those voting for D. B. Culberson, were Senators Nelson, Saufley and Shannon—3.

The roll of the Senate was then called on a fourth ballot, and upon counting the vote it stood thus :

Mr. Roberts received 10 votes, Mr. Epperson 8, Mr. Hill 4, Mr. Steadman 2, Mr. Culberson 4.

Those voting for O. M. Roberts, were Senators Braswell, Burney, Foscue, Guinn, Jowers, Neyland, Randolph. Selman, Stell and Truitt—10.

Senator Cook nominated W. P. Hill.

Those voting for B. H. Epperson, were Senators Blount, Bumpass, Dalrymple, Knox, Lane, Littleton, McDade and Record—8.

Those voting for W. P. Hill, were Senators Cook, Reed, Shelley and Yarbrow—4.

Those voting for William Steadman, were Senators Boyd and Brown—2.

Those voting for D. B. Culberson, were Senators Coppedge, Nelson, Saufley and Shannon—4.

The two Houses in joint session, having failed to elect a Senator, upon motion of Senator Reed, the Senate retired to its Chamber.

Upon motion of Senator Shannon, the Senate adjourned until 10 o'clock to-morrow.

SENATE CHAMBER, }
AUSTIN, Aug. 24, 1866. }

Senate met pursuant to adjournment.

Prayer by the Chaplain.

Roll called—quorum present.

Journal of yesterday read and adopted.

Senator Cooley presented a petition of citizens of Gillespie county, asking for relief of Randolph Fischer, who is held as a captive by the Comanche Indians.

Referred to Committee on State Affairs.

Senator Foscue, Chairman of Committee on Education, reports as follows :

Hon. G. W. Jones, President of Senate :

The Committee on Education, to which was referred the House bill to be entitled, "An act to incorporate the Hebrew